

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

FILED
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ML Strategies, LLC,

Plaintiff,

v.

**The Noisette Company, LLC
d/b/a Noisette Company,**

Defendant.

Civil Action No. 04-10641-RCL

JOINT MOTION TO EXTEND DISCOVERY

Now come the parties in the above-referenced matter and move this Honorable Court to extend the current discovery order by three months. In furtherance of this motion the parties state as follows:

In accordance with Judge Lindsey's suggestion that the parties attempt to resolve this matter short of trial, the parties have scheduled a mediation for June 13, 2005, with mediator Brad Honoroff. Though the parties diligently attempted to schedule mediation prior to the close of discovery, due in part to the fact that defendant Noisette is located in South Carolina, such scheduling was not possible.

The parties have exchanged document production. The parties have intentionally scheduled the mediation prior to taking any deposition testimony.¹ If unable to resolve this matter at mediation, the parties anticipate that it would require approximately three additional months to complete discovery.

¹ The parties have noticed a number of depositions which have been postponed until after the mediation. The parties anticipate noticing additional depositions if the case does not settle at mediation.

Wherefore, the parties request that this Honorable Court extend the current discovery order by three months, as follows:

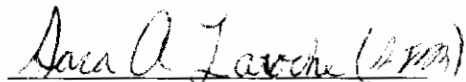
Discovery due by 8/25/05;

Motions filed by 9/23/05; and

Responses to motions by 10/14/05.

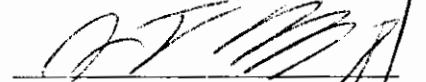
Respectfully submitted,

ML STRATEGIES, LLC
By its attorneys,



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THE NOISETTE COMPANY, LLC,
d/b/a NOISETTE COMPANY,
By its attorneys,



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Dated: May 20, 2005